

REMARKS

Following entry of the foregoing amendments, claims 38-39 and 42-56 constitute the pending claims in the present application. Claims 1-37 and 40-41 are cancelled. Claim 56 is new.

Acknowledgement of Status of the Application

Applicants acknowledge that claims 38-39, 42-46, and 48-55 are being examined to the extent that they read on "the elected Group, i.e., methods as claimed by the instant claims utilizing compounds having the chemical skeleton as defined by cyclopamine or jervine." Applicants note that the Office has not examined claim 47, but rather withdrawn this claim as being drawn to a nonelected invention. Applicants respectfully point out that claim 47 includes subject matter that falls within the scope of examination specified by the Examiner. In particular, variable R₆ can be varied and the recited compounds still fall within the chemical skeleton as defined by cyclopamine or jervine. Accordingly, Applicants request that claim 47 be examined.

Issues raised by the Examiner are addressed below in the order they appear in the Office Action. Applicants respectfully request reconsideration in view of the following remarks.

Claim Amendments and New Claim

As noted in the Office Action of February 2, 2005 that the Examiner holds that the claimed invention is allowable to the extent that it reads on the elected Group, i.e., "the method as claimed by the instant claims utilizing compounds having the chemical skeleton as cyclopamine or jervine." As such, Applicants have amended claims 38-39, 42-43, and 47-48 to recite compounds that fall within the chemical skeleton as defined by cyclopamine or jervine. In particular, Applicants have specifically recited that variables R₇ and R'₇, taken together form a ring or polycyclic ring. This amendment visibly limits the recited compounds to those having the chemical skeleton as defined by cyclopamine or jervine.. Applicants submit that these amendments present no new matter.

New claim 56 recites various substituents on the ring or polycyclic ring formed by R₇ and R'₇. Support for claim 56 can be found in the original specification, particularly in the

definitions section under "polycyclyl" or "polycyclic group." New claim 56 presents no new matter.

Applicants submit that since the Office has found the invention allowable to the extent that it reads on the elected Group that the present claims are allowable.

Withdrawn Claim Rejections

Applicants note with appreciation the withdrawal of rejections under 35 U.S.C. 112 of claims 1, 15-17, 20, 22-23, 27-28, 36-39, and 41.

CONCLUSION

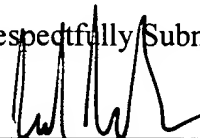
For the foregoing reasons, Applicants respectfully request reconsideration and withdrawal of the pending rejections. Applicants believe that the claims are now in condition for allowance and early notification to this effect is earnestly solicited. Any questions arising from this submission may be directed to the undersigned at (617) 951-7000.

If there are any other fees due in connection with the filing of this submission, please charge the fees to our **Deposit Account No. 18-1945**. If a fee is required for an extension of time under 37 CFR 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit account.

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